

THE HONORABLE MARSHAL J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON MUTUAL BANK, a federal
association,

Plaintiff,

v.

M/V WILDERNESS EXPLORER, Coast
Guard Official No. 520611, IN REM,

Defendant.

IN ADMIRALTY

No. C06-0105 MJP

WASHINGTON MUTUAL BANK, a federal
association,

Plaintiff,

v.

M/V WILDERNESS ADVENTURER, Coast
Guard Official No. 664136, IN REM,

Defendant.

No. C06-0106 MJP

WASHINGTON MUTUAL BANK, a federal
association,

Plaintiff,

v.

M/V WILDERNESS DISCOVERER, Coast
Guard Official No. 952722, IN REM,

Defendant.

No. C06-107 MJP

CONSOLIDATED ACTIONS

[PROPOSED] ORDER

[PROPOSED] ORDER - 1
Case No. C06-0105 MJP

251600.0046/1272113.1

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1 THIS DAY THIS CAUSE came on to be heard upon the Stipulated Motion of Plaintiff
2 Washington Mutual Bank, a federal association, and Claimants Harbor Enterprises, Inc. d/b/a
3 Petro Marine Services and Shoreside Petroleum, Inc. seeking to consolidate the actions
4 pending in C06-105MJP, C06-106MJP, and C06-107MJP pursuant to Fed. R. Civ. P. 42(a)
5 and this Court, upon consideration thereof, finds that a consolidation of these actions would
6 promote judicial economy and convenience because the three actions all arise under the
7 Admiralty Jurisdiction of this Court pursuant to 28 U.S.C. § 1333(1) and Rule 9(h) of the
8 Federal Rules of Civil Procedure, share a common plaintiff, and require consideration of
9 common questions of law and fact arising out of an interpretation of federal maritime lien
10 priorities pursuant to Title 46 U.S.C. §§ 31301 through § 31343, inclusive. This Court further
11 finds that the defendant Vessels are sisterships, owned by a common owner, are secured by a
12 common single promissory note and that consolidation will not prejudice the *in rem*
13 defendants.

14 IT IS THEREFORE ORDERED AND ADJUDGED that Cause Nos. C06-105MJP,
15 C06-106MJP, and C06-107MJP are hereby consolidated through trial under the single cause
16 number **C06-105MJP** and that the United States District Clerk is directed to amend the
17 docket accordingly.

18 SO ORDERED this the __21st day of February, 2006.

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20 /s Marsha J. Pechman
21 United States District Court Judge
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[PROPOSED] ORDER - 2
Case No. C06-0105 MJP

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14 Services and Shoreside Petroleum, Inc.
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[PROPOSED] ORDER - 3
Case No. C06-0105 MJP

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